

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DR. DEREK MELBY, AND DANILO	§	
POLICARPIO as individuals and on	§	
behalf of all others similarly situated	§	
	§	
Plaintiffs,	§	Civil Action No. 3:17-CV-155-M
	§	
v.	§	<i>consolidated with</i>
	§	
AMERICA’S MHT, INC., SCOTT POSTLE,	§	Civil Action Nos. 3:17-CV-732-M;
ASCENTIUM CAPITAL, LLC, and	§	3:17-CV-868-M; and
CLIFF MCKENZIE	§	3:17-CV-963-M
	§	
Defendants.	§	

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**DECLARATION OF ISAAC J. TAWIL IN SUPPORT OF APPROVAL  
OF CLASS COUNSEL’S MOTION FOR AN AWARD OF  
ATTORNEY’S FEES AND REIMBURSEMENT OF EXPENSES**

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I, Isaac J Tawil, hereby declare:

1. I am and have been since 1999 an attorney duly licensed and practicing in Texas the State of Texas. I have personal knowledge of the matters set forth in this declaration and, if called to testify, could and would competently testify about them. I submit this declaration in support of Class Counsel’s application for attorney’s fees and reimbursement of expenses, plus interest.
2. I represent the following class members (“Settling Clients”) who have opted in to the proposed class settlement:
  - a. David Schnaiderman, M.D.
  - b. Adriana Gomez, M.D.

- c. Eduardo Candanosa, M.D.
  - d. Miguel Guerra Valencia, M.D.
  - e. Oscar Salinas, M.D.
3. Since December 2016, on behalf of my Settling Clients, I have collaborated with Class Counsel in the investigation and prosecution of the claims presented in the above styled matter to this Honorable Court.
  4. Additionally, I have engaged in various discussions of and made recommendations for the resolution of settlement issues.
  5. I have participated in these discussions based upon my legal work and personal investigation of the facts and circumstances related to the claims presented in above styled matter to this Honorable Court.
  6. My legal work related to this matter, as provided in more detail on the attached **Exhibit A**, consisted of 102.5 hours of legal services billed to and for which my Settling Clients have paid me \$25,608.33 and expenses in the amount of \$11,375.25 which my Settling Clients have also paid.
  7. Over the past several days, I have worked with my practice management provider to gain an understanding of the mechanisms by which their system will generate the reports attached as Exhibit A and in a manner that will not jeopardize the attorney-client privilege and relationship.
  8. Prior to acquiring a license for the use of my practice management system, I billed my client's manually. For the period of time I represented my Settling Clients in this matter, prior to my acquisition of a license for the use of my practice management software, I billed my Settling Clients manually for approximately 5.96 hours of legal services at a

rate of \$250.00 per hour, which my Settling Clients' paid to me. This time is not reflected on the reports generated by my practice management system.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct, executed on July 2, 2018, at McAllen, Texas.

/s/ Isaac J Tawil

Isaac J Tawil

#### CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2018, a true and correct copy of the foregoing declaration was served on all counsel of record through the Court's electronic filing system.

/s/ Jonathan P. Lemann

Jonathan P. Lemann

**Exhibit A**



# David Schnaiderman, et al v. America's MHT d/b/a Medical Home Team, et al

C-5370-16-I

*Case Fees*

Case details generated 07/02/2018

Date	Activity	Duration	Rate	Total	Status	User
Feb 19, 2018	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Feb 19, 2018	Telephone Conference	0.4	\$250.00/hr	\$100.00	Invoiced	Isaac Tawil
Feb 7, 2018	Correspondence	0.4	\$250.00/hr	\$100.00	Invoiced	Isaac Tawil
Feb 7, 2018	Correspondence	1.7	\$250.00/hr	\$425.00	Invoiced	Isaac Tawil
Feb 7, 2018	Telephone Conference	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Feb 6, 2018	Telephone Conference	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Jan 30, 2018	Client Meeting	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Jan 25, 2018	Correspondence	0.3	\$250.00/hr	\$62.50	Invoiced	Isaac Tawil
Jan 25, 2018	Telephone Conference	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Dec 27, 2017	Document Review	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Dec 5, 2017	Client Meeting	0.7	\$250.00/hr	\$175.00	Invoiced	Isaac Tawil
Dec 4, 2017	Document Review	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Dec 4, 2017	Telephone Conference	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Nov 29, 2017	Correspondence	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Nov 29, 2017	Correspondence	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Oct 3, 2017	Telephone Conference	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Sep 29, 2017	Document Review	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Sep 25, 2017	Telephone Conference	0.7	\$250.00/hr	\$170.83	Invoiced	Isaac Tawil
Sep 22, 2017	Document Review	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Sep 22, 2017	Telephone Conference	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Sep 22, 2017	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Sep 22, 2017	Correspondence	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Sep 12, 2017	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Sep 11, 2017	Correspondence	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Sep 7, 2017	Correspondence	1.6	\$250.00/hr	\$400.00	Invoiced	Isaac Tawil
Aug 31, 2017	Telephone Conference	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Aug 28, 2017	Correspondence	0.3	\$250.00/hr	\$62.50	Invoiced	Isaac Tawil
Aug 25, 2017	Correspondence	0.7	\$250.00/hr	\$162.50	Invoiced	Isaac Tawil
Aug 25, 2017	Document Review	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Aug 23, 2017	Document Review	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Aug 21, 2017	Correspondence	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Aug 21, 2017	Correspondence	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil



Date	Activity	Duration	Rate	Total	Status	User
Aug 14, 2017	Document Review	0.8	\$250.00/hr	\$187.50	Invoiced	Isaac Tawil
Aug 14, 2017	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Aug 11, 2017	Correspondence	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Aug 11, 2017	Document Review	0.8	\$250.00/hr	\$187.50	Invoiced	Isaac Tawil
Aug 10, 2017	Correspondence	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Aug 10, 2017	Client Meeting	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Aug 9, 2017	Telephone Conference	0.9	\$250.00/hr	\$225.00	Invoiced	Isaac Tawil
Aug 9, 2017	Document Review	0.3	\$250.00/hr	\$62.50	Invoiced	Isaac Tawil
Aug 8, 2017	Correspondence	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Aug 8, 2017	Document Review	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Aug 7, 2017	Document Review	0.8	\$250.00/hr	\$187.50	Invoiced	Isaac Tawil
Aug 4, 2017	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Aug 4, 2017	Correspondence	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Aug 4, 2017	Telephone Conference	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Aug 4, 2017	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Aug 4, 2017	Correspondence	0.3	\$250.00/hr	\$75.00	Invoiced	Isaac Tawil
Aug 4, 2017	Document Review	0.3	\$250.00/hr	\$75.00	Invoiced	Isaac Tawil
Aug 4, 2017	Correspondence	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Aug 3, 2017	Document Review	2.0	\$250.00/hr	\$500.00	Invoiced	Isaac Tawil
Jul 31, 2017	Telephone Conference	0.3	\$250.00/hr	\$75.00	Invoiced	Isaac Tawil
Jul 26, 2017	Client Meeting	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Jul 26, 2017	Document Review	2.0	\$250.00/hr	\$500.00	Invoiced	Isaac Tawil
Jul 26, 2017	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Jul 24, 2017	Meeting	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Jul 20, 2017	Document Review	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Jul 20, 2017	Document Review	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Jul 19, 2017	Document Review	3.0	\$250.00/hr	\$750.00	Invoiced	Isaac Tawil
Jul 17, 2017	Telephone Conference	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Jul 13, 2017	Telephone Conference	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
May 25, 2017	Telephone Conference	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
May 25, 2017	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
May 25, 2017	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
May 25, 2017	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
May 25, 2017	Correspondence	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Apr 4, 2017	Discovery	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Mar 26, 2017	Discovery	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Mar 24, 2017	Correspondence	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Mar 7, 2017	Correspondence	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Mar 7, 2017	Telephone Conference	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Mar 7, 2017	Telephone Conference	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil

Date	Activity	Duration	Rate	Total	Status	User
Mar 6, 2017	Telephone Conference	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Mar 6, 2017	Telephone Conference	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Mar 5, 2017	Correspondence	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Mar 4, 2017	Correspondence	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Mar 3, 2017	Telephone Conference	0.3	\$250.00/hr	\$75.00	Invoiced	Isaac Tawil
Mar 3, 2017	Discovery	2.5	\$250.00/hr	\$625.00	Invoiced	Isaac Tawil
Feb 23, 2017	Telephone Conference	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Feb 19, 2017	Discovery	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Feb 16, 2017	Legal Research	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Feb 14, 2017	Client Meeting	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Feb 11, 2017	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Feb 10, 2017	Discovery	0.8	\$250.00/hr	\$187.50	Invoiced	Isaac Tawil
Feb 10, 2017	Draft Document	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Feb 10, 2017	Draft Document	0.6	\$250.00/hr	\$150.00	Invoiced	Isaac Tawil
Feb 9, 2017	Discovery	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Feb 9, 2017	Discovery	1.7	\$250.00/hr	\$425.00	Invoiced	Isaac Tawil
Feb 8, 2017	Telephone Conference	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Feb 7, 2017	Correspondence	0.6	\$250.00/hr	\$150.00	Invoiced	Isaac Tawil
Feb 6, 2017	Correspondence	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Feb 3, 2017	Correspondence	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Jan 27, 2017	Correspondence	0.3	\$250.00/hr	\$75.00	Invoiced	Isaac Tawil
Jan 27, 2017	Correspondence	0.2	\$250.00/hr	\$50.00	Invoiced	Isaac Tawil
Jan 27, 2017	Correspondence	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Jan 20, 2017	Telephone Conference	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Jan 20, 2017	Telephone Conference	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Jan 19, 2017	Correspondence	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Jan 18, 2017	Legal Research	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Jan 18, 2017	Telephone Conference	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Jan 18, 2017	Telephone Conference	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Jan 17, 2017	Telephone Conference	0.1	\$250.00/hr	\$25.00	Invoiced	Isaac Tawil
Jan 12, 2017	Legal Research	2.0	\$250.00/hr	\$500.00	Invoiced	Isaac Tawil
Jan 11, 2017	Draft Document	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Jan 10, 2017	Legal Research	0.7	\$250.00/hr	\$175.00	Invoiced	Isaac Tawil
Jan 9, 2017	Correspondence	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Jan 9, 2017	Legal Research	1.0	\$250.00/hr	\$250.00	Invoiced	Isaac Tawil
Jan 9, 2017	Draft Pleading	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Jan 9, 2017	Draft Document	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Jan 6, 2017	Correspondence	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Jan 5, 2017	Telephone Conference	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil



Date	Activity	Duration	Rate	Total	Status	User
Jan 5, 2017	Draft Pleading	4.6	\$250.00/hr	\$1,150.00	Invoiced	Isaac Tawil
Jan 4, 2017	Client Meeting	3.0	\$250.00/hr	\$750.00	Invoiced	Isaac Tawil
Dec 19, 2016	Document Review	2.5	\$250.00/hr	\$625.00	Invoiced	Isaac Tawil
Dec 8, 2016	Client Meeting	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Dec 7, 2016	Document Review	1.5	\$250.00/hr	\$375.00	Invoiced	Isaac Tawil
Dec 7, 2016	Correspondence	0.5	\$250.00/hr	\$125.00	Invoiced	Isaac Tawil
Dec 2, 2016	Draft Document	2.0	\$250.00/hr	\$500.00	Invoiced	Isaac Tawil
Dec 1, 2016	Client Meeting	3.0	\$250.00/hr	\$750.00	Invoiced	Isaac Tawil





# David Schnaiderman, et al v. America's MHT d/b/a Medical Home Team, et al

C-5370-16-I

*Case Expenses*

Case details generated 07/02/2018

Date	Activity	Quantity	Cost	Total	Status	User
Nov 27, 2017	Expert Fees	1.0	\$5,000.00	\$5,000.00	Invoiced	Isaac Tawil
Aug 14, 2017	Correspondence	1.0	\$0.49	\$0.49	Invoiced	Isaac Tawil
Aug 4, 2017	Hearing Transcript	1.0	\$89.80	\$89.80	Invoiced	Isaac Tawil
Aug 4, 2017	Expert Fees	1.0	\$5,000.00	\$5,000.00	Invoiced	Isaac Tawil
Jan 5, 2017	Court Payment Service Fee	1.0	\$18.96	\$18.96	Invoiced	Isaac Tawil
Jan 5, 2017	Court Fee	1.0	\$2.00	\$2.00	Invoiced	Isaac Tawil
Jan 5, 2017	Copies	96.0	\$1.00	\$96.00	Invoiced	Isaac Tawil
Jan 5, 2017	Service of Process	6.0	\$85.00	\$510.00	Invoiced	Isaac Tawil
Jan 5, 2017	Citation	6.0	\$8.00	\$48.00	Invoiced	Isaac Tawil
Dec 19, 2016	Service of Process	1.0	\$140.00	\$140.00	Invoiced	Isaac Tawil
Dec 19, 2016	Filing Fees	1.0	\$50.50	\$50.50	Invoiced	Isaac Tawil
Dec 5, 2016	Filing Fees	1.0	\$302.50	\$302.50	Invoiced	Isaac Tawil
Dec 5, 2016	Filing Fees	1.0	\$117.30	\$117.30	Invoiced	Isaac Tawil



# David Schnaiderman, et al v. America's MHT d/b/a Medical Home Team, et al

C-5370-16-I

Case details generated 07/02/2018

*Invoice Summary*

Number	Total	Paid	Amount Due	Due	Created	Status	Viewed	Online Payments
00053	\$1,487.50	\$1,487.50	--	Mar 7, 2018	Mar 7, 2018	Paid	Mar 7, 2018	Enabled
00047	\$1,425.00	\$1,425.00	--	Dec 27, 2017	Dec 27, 2017	Paid	Dec 27, 2017	Enabled
00046	\$5,000.00	\$5,000.00	--	Nov 27, 2017	Nov 27, 2017	Paid	Dec 5, 2017	Enabled
00045	\$2,045.83	\$2,045.83	--	Oct 3, 2017	Oct 3, 2017	Paid	Oct 3, 2017	Enabled
00044	\$3,590.29	\$3,590.29	--	Sep 1, 2017	Sep 1, 2017	Paid	Sep 1, 2017	Enabled
00039	\$5,275.00	\$5,275.00	--	Aug 4, 2017	Aug 4, 2017	Paid	Aug 4, 2017	Enabled
00038	\$3,550.00	\$3,550.00	--	Aug 4, 2017	Aug 4, 2017	Paid	Aug 4, 2017	Enabled
00032	\$525.00	\$525.00	--	--	Jul 5, 2017	Paid	Jul 7, 2017	Enabled
00021	\$700.00	\$700.00	--	--	Apr 28, 2017	Paid	Apr 28, 2017	Enabled
00014	\$2,787.50	\$2,787.50	--	--	Mar 3, 2017	Paid	Mar 3, 2017	Enabled
00006	\$5,749.96	\$5,749.96	--	Jan 31, 2017	Jan 31, 2017	Paid	Feb 3, 2017	Enabled
00001	\$3,360.30	\$3,360.30	--	Dec 29, 2016	Jan 4, 2017	Paid	Never	Disabled